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Security Council

Sixtieth year

Provisional

5312th meeting

Wednesday, 30 November 2005, 10.45 a.m.

New York

President:	Mr. Denisov	(Russian Federation)
Members:	Algeria	Mr. Baali
	Argentina	Mr. D'Alotto
	Benin	Mr. Idohou
	Brazil	Mr. Sardenberg
	China	Mr. Li Song
	Denmark	Ms. Løj
	France	Mr. De La Sablière
	Greece	Mr. Vassilakis
	Japan	Mr. Oshima
	Philippines	Mr. Lacanilao
	Romania	Mr. Motoc
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry
	United Republic of Tanzania	Mr. Mahiga
	United States of America	Mr. Brencick

Agenda

The situation in the Middle East, including the Palestinian question

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05-62208 (E)

The meeting was called to order at 10.45 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East, including the Palestinian question

The President (*spoke in Russian*): In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Ibrahim Gambari, Under-Secretary-General for Political Affairs.

There being no objection, it is so decided.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Security Council will hear a briefing by Mr. Ibrahim Gambari, Under-Secretary-General for Political Affairs, to whom I give the floor.

Mr. Gambari: I returned last week from my first visit to the Middle East in my capacity as Under-Secretary-General for Political Affairs. I accompanied the Secretary-General on his visit to Iraq, and then proceeded to Lebanon, Israel and the occupied Palestinian territory.

In this briefing, I will present the Secretariat's assessment of events on the ground since the previous briefing to the Council on 20 October and will share with members some impressions gained during my visit. In doing so, I will try not to go over the ground covered by the Secretary-General himself and by the Under-Secretary-General for Peacekeeping Operations in their recent briefings to the Council.

Two weeks ago, the Government of Israel and the Palestinian Authority reached an Agreement on Movement and Access. The Agreement was made possible by months of very hard work by Quartet Special Envoy James Wolfensohn and his team and, at the end, by the personal engagement of the Secretary of State of the United States, Condoleezza Rice, and the European Union High Representative for Foreign and Security Policy, Javier Solana. The Agreement envisages an unprecedented third-party role for the European Union, an enhanced contribution by the United States Security Coordinator, support from the Quartet Special Envoy and the continued close involvement of the United Nations and the World Bank.

The first aspect of the Agreement was implemented last Saturday, when the Rafah crossing reopened under Palestinian control for travellers in both directions and for the outgoing passage of goods, with supervision by the European Union as a third party. On that day, 757 people entered Gaza at Rafah and 830 exited. The European Union's 90-man-strong Border Assistance Mission will be responsible for resolving any disputes between Israel and the Palestinian Authority arising from the Agreement.

Secondly, the parties agreed that the crossings between Gaza and Israel would operate continuously, unlike in the past. The aim is for 150 export trucks to be processed daily by the end of 2005 and for 400 to be processed daily by the end of next year. Goods will enter Gaza through Kerem Shalom, where Israel, Egypt and Gaza meet. The European Union will monitor customs arrangements, with its mission being reviewed in a year's time.

Thirdly, bus convoys between Gaza and the West Bank will start on 15 December, with truck convoys following on 15 January 2006. Fourthly, the Government of Israel has undertaken to review the system of movement restrictions in the West Bank and to reduce them to the maximum extent possible by the end of this year. Fifthly, the construction of the seaport is to begin immediately. Finally, the parties will continue discussions on the airport.

The Agreement addresses a number of the issues that were left hanging after Israel's withdrawal of settlements and military infrastructure from the Gaza Strip. The recent Agreement resolved those issues or set up frameworks for doing so. Everything now hinges on the full and timely implementation of the Agreement.

Meanwhile, representatives of the United States Government are working closely with the parties on implementation, and Mr. Wolfensohn's team will be tracking progress on behalf of the Quartet. They deserve our collective support and encouragement. The Quartet Special Envoy intends to issue reports every two weeks, so as to keep the international community informed of progress. His first report, issued yesterday, shows, among other things, that over 800 people are

passing through Rafah every day, even though the crossing is currently open for only four hours a day. Those numbers are expected to increase as Rafah moves towards 24-hour operation.

In this regard, the United Nations will be playing its part in tracking progress in the implementation of the Agreement, including with regard to the easing of movement restrictions in the West Bank. According to figures from the Office for the Coordination of Humanitarian Affairs (OCHA), the number of obstacles to movement has increased in the past two months from 376 to 396. OCHA will be confirming that figure with the Israel Defense Forces, but it appears that much of the increase has been in the northern West Bank — the area where in August four Israeli settlements were removed and where movement had previously been eased.

Meanwhile, a picture is emerging of the West Bank divided into three distinct areas — north, central and south. While movement is relatively free inside those areas, travel between them — with the exception of Nablus — is severely hampered by a combination of checkpoints, travel permits and physical obstacles. As part of its ongoing work, which will now feed into implementation of the Agreement on Movement and Access, the United Nations is compiling a comprehensive set of recommendations to reduce obstacles, improve movement and enhance Palestinian access to essential services and markets.

The full implementation of all aspects of the Agreement on Movement and Access is a vital step towards Palestinian economic recovery. Recovery will also require the strengthening of Palestinian institutions and economic management and the effective distribution of international aid. Those issues will be on the agenda of the mid-December meeting of the Ad Hoc Liaison Committee, which is the primary policy-making meeting of donors, the Palestinian Authority and the Government of Israel.

At the Ad Hoc Liaison Committee meeting, it is hoped that the Palestinian Authority will announce new aid coordination structures designed to enhance Palestinian control of the coordination of donor assistance and present a full outline of its medium-term development plan. Together, those initiatives should contribute to the process of Palestinian institutional development, as envisaged in the road map. It is hoped that that the Palestinian Authority will commit itself to tackling a number of outstanding issues in its own plan. The Palestinian Authority's fiscal situation is also of immediate concern, and urgent action will be required before the end of the year to address the anticipated fiscal crisis.

I would add that the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) held a successful conference of donors and host countries in Jordan this month to raise funds for continued support for Palestinian refugees in the region. Continued support for UNRWA programmes will be vital for stability and recovery in the occupied Palestinian territory in the post-disengagement period.

The fragile security situation and the need for more decisive action in accordance with the road map have been underlined by continued violence. Throughout the reporting period, the Israeli army targeted alleged militants in the West Bank and Gaza and undertook major arrest campaigns in the West Bank. On 26 October, a suicide bomber blew himself up at Hadera market in Israel, killing six Israeli civilians. The Secretary-General promptly condemned that act of terror. Violence took its toll on Palestinian civilians as well as on Israelis. During the reporting period, at least seven Palestinian civilians were killed, including, tragically, an 11-year-old boy carrying a toy gun, who was fatally shot by Israeli forces in Jenin on 3 November.

The Palestinian security services have taken some action, including arrests, against those who persist in carrying out terrorist attacks. Measures have also been taken to keep weapons off the streets and to assert the rule of law in areas under Palestinian control. More work needs, of course, to be done in that regard. There have also been efforts to rehabilitate former militia members by employing them in the security services. That, however, has given rise to serious fiscal concerns. Continued efforts are necessary to develop viable and effective strategies to deal with the militias.

President Abbas has established a leadership committee on security reform, which, in turn, has mandated a technical team to develop a white paper on safety and security for Palestinians. That process will involve public dialogue in an effort to build national consensus. Those efforts have the strong support of the United States Security Coordinator, Lieutenant General William Ward, whose successor, Lieutenant General Keith Dayton, will soon be on the ground. The United

States Security Coordinator has also been supporting efforts to improve Israeli-Palestinian security cooperation.

Let me turn to the issues of barrier construction and settlement activity. The road map calls for a freeze of all settlement activity, including the natural growth of settlements, and for settlement outposts constructed since March 2001 to be dismantled. On 24 November, the Israeli press reported that Housing Minister Yitzhak Herzog published tenders for an additional 350 housing units in the West Bank settlement of Ma'ale Adumim.

Israel has also continued construction all along the projected route of the barrier, including on occupied Palestinian territory in East Jerusalem and between Jerusalem and Ramallah. A new terminal was opened at the main entrance to Bethlehem, located some 500 to 600 metres further inside occupied Palestinian territory than the previous checkpoint and functioning much like an international border crossing. Israel officials have indicated that there will be a series of such crossings along the route of the barrier between East Jerusalem and the remainder of the West Bank. The Israel Defense Forces have also continued to issue military land requisition orders in various parts of the West Bank to acquire land for barrier construction.

As I witnessed during my visit to the region, the combination of settlement activity and barrier construction is creating new and significant facts on the ground in the West Bank. That is particularly the case in and around East Jerusalem, where the route of the barrier fragments and isolates Palestinian neighbourhoods. I reiterate the Secretary-General's call on Israel to abide by its legal obligations as set forth in the 9 July 2004 advisory opinion of the International Court of Justice and in General Assembly resolution ES-10/15.

Against that backdrop, we are entering a delicate electoral period, with further rounds of Palestinian municipal elections in December, Palestinian legislative elections scheduled for 25 January 2006 and Israeli elections scheduled for the end of March, following Prime Minister Sharon's request to the President of Israel to dissolve the Knesset.

Primary elections for the ruling Fatah party have already taken place in several locations, but after claims of fraud and the storming of a number of Gaza polling stations by militants two days ago, the primaries were suspended. Nevertheless, technical preparations by the Palestinian Central Election Commission are well under way to meet the unchanged target date of 25 January 2006 for the legislative elections. The United Nations will assist the Commission through a liaison and support unit to coordinate international observers, similar to the unit set up for last year's presidential election.

The main concerns of the Central Election Commission, whose President I met in Ramallah, are that the modalities of the poll in East Jerusalem be finalized as soon as possible, that the freedom of movement of candidates be assured by Israeli Authorities during the January campaigning period and that prisoners in Israeli jails be allowed to vote.

The Israeli authorities, while expressing their intention not to interfere with the poll, said that they would not cooperate in its conduct. Under the road map, the Palestinian Authority is committed to holding free, open and fair elections, and Israel must support the development of Palestinian democracy and facilitate elections, including in East Jerusalem.

Meanwhile, in Israel, the Labour Party has elected a new leader, Amir Peretz, who has informed Prime Minister Sharon that Labour will leave the coalition Government. New elections are expected by the end of March. Mr. Sharon has announced his intention to leave the Likud party and seek re-election as Prime Minister as head of the new Kadima — or Forward — Party. It is too early to say what the impact of those major political realignments will be on Israel's approach to the peace process, but this is no doubt an important time for the future of both Israel and the Palestinians.

Lebanon is also at a critical stage in its history and faces a number of important challenges. During my visit to Beirut, I told all Lebanese interlocutors of the commitment of the United Nations to continue working closely with the Government of Lebanon and to support Lebanon's independence, sovereignty, stability and security. I reiterated our belief that the challenges facing Lebanon should be met through a process led by the Lebanese people themselves and supported by the United Nations and the international community as necessary.

In my discussions on the work of the investigation into the assassination of former Prime Minister Hariri, I underlined that resolution 1636 (2005), adopted recently by the Security Council, made

clear Syria's obligation to extend its full support and cooperation to the United Nations International Independent Investigation Commission. I reiterated that the modalities of such cooperation should be agreed in a bilateral fashion between the Syrian authorities and the Commission. As reported last Friday, the Commission and the Syrian authorities have reached an agreement to conduct the interviews of the Syrian individuals concerned in Vienna.

My visit confirmed my earlier assessment that Lebanon remains committed to moving ahead with a challenging and important programme of political and socio-economic reform. Prime Minister Siniora's Government has been working to formulate a financial and economic plan that will be the subject of the next meeting of the Core Group of countries, which have offered their support for Lebanon's various reform initiatives.

The critical importance of the Government of Lebanon extending its full control over all its territory was underlined on 21 November, when Hizbullah initiated heavy attacks in Ghajar village and the Shab'a farms area from the Lebanese side of the Blue Line. The exchange of fire subsequently extended all along the Blue Line. Mr. Guéhenno briefed the Council on those attacks last week, and the Council has spoken very clearly on them.

Consistent with its mandate, the United Nations Interim Force in Lebanon, in collaboration with the International Committee of the Red Cross, played an important role in bringing about a ceasefire and securing the handover of the bodies of the three Hizbullah fighters killed, while Special Coordinator De Soto and Mr. Pedersen, Personal Representative of the Secretary-General for Lebanon, remained in close touch with Israeli and Lebanese interlocutors respectively.

I must also report that Israel violated Lebanese airspace along coastal areas on many occasions during the reporting period, including before the Hizbullah attacks. There were also two large sonic booms over civilian areas. And after the attacks, leaflets were dropped over Beirut. Since 21 November, 12 air violations by Israel have been recorded. Israel claims its actions were necessary in the face of evidence of possible hostile acts by Hizbullah, while the Government of Lebanon claims that the violations serve to provoke attacks. Their cessation, which the United Nations has repeatedly called for, would contribute to the maintenance of calm along the Blue Line. Nonetheless, it is the policy of the United Nations — and we will continue to assert before both parties, in the strongest terms — that one violation cannot justify another. It is thus imperative to reduce tensions and achieve security on both sides of the Blue Line.

To conclude, I returned from the region hopeful about the future but with a renewed appreciation of the immense challenges the region faces. I returned an optimist, but without illusions.

I have seen many things that make me optimistic: the Rafah crossing, where Palestinians have assumed control of part of their border for the first time in their history; the Gaza settlements that Israel evacuated and destroyed, setting a vital precedent for the future; the resolve of Palestinian officials to proceed with elections and economic and security sector reforms; and the awareness of Israeli officials that they must consider the impact of their actions on the very Palestinian partner with whom they must try to make peace. And in Beirut, I witnessed the determination of the Government of Lebanon to assert its control over the entire country, which is vital if regional peace is to be secured.

On the other hand, I have also discussed with interlocutors, or seen with my own eyes, a number of very real challenges to progress: the extent to which the barrier, checkpoints and Israeli settlements dominate the landscape in the West Bank; the dire economic and social situation of many people in Gaza and the West Bank; the weakness of the rule of the law in the areas under Palestinian control; the genuine insecurity and fear that Israelis face on a daily basis; and the border between Israel and Lebanon — always tense, recently volatile — where the Government of Lebanon has yet to assert its full sovereignty and control. I have also seen, with great admiration, the determination of the United Nations system on the ground to help improve the situation and to do so in a better coordinated manner.

Above all, I return from the region with the strong belief that the only way forward for Israelis and Palestinians alike is, on the one hand, for the parties to ensure the success of disengagement by fully implementing the recent Agreement on Movement and Access; and, on the other, for both parties to take

renewed action, in parallel, to fulfil their obligations under phase one of the road map.

The Palestinian Authority must implement proper restructuring of its security services and must take action against individuals involved in violence. Israel must act with restraint. It is in its own interest to support the Palestinian Authority's efforts to establish calm during the coming weeks and months. In addition, Palestinians need an Authority that manages budgetary resources carefully and that plans effectively for a future Palestinian State. I look forward with great interest to reports on Palestinian institutional strengthening and economic development, which will be delivered to the Ad Hoc Liaison Committee in two weeks' time.

The Government of Israel has yet to fulfil its road map obligations to cease settlement activity and to dismantle settlement outposts constructed since March 2001. Israel's continued creation of facts on the ground damages the Palestinian leaders who are seeking to be elected on a platform of peaceful negotiations with Israel. It also complicates efforts to achieve a viable two-State solution with contiguity of the West Bank, including East Jerusalem, and with meaningful linkages between the West Bank and the Gaza Strip.

Finally, the coming electoral period calls for the utmost wisdom and political determination on both sides and should be turned into an opportunity for forward movement, not stagnation. The Palestinian elections can serve as a platform for the necessary transition from a heavily and disparately armed society to a society built on the rule of law in which the Palestinian Authority holds a monopoly on instruments of violence. We hope that all will support the Palestinians' right to decide on their conduct — including participation — and that Israel will cooperate so that the playing field is level.

If the Palestinian elections are successfully conducted and once Israelis have determined at the ballot box which political direction they wish their leaders to take, we may yet see the emergence of new circumstances in which to press forward, quickly and decisively, with the implementation of all phases of the road map towards the goal of a just and lasting peace based on two States, Israel and Palestine, living side by side in peace and within secure and recognized borders, in accordance with Security Council resolutions. The United Nations will, of course, continue to work towards the goal of a comprehensive and just peace in the region. I believe strongly that that goal is both imperative and achievable.

The President (*spoke in Russian*): I thank Mr. Gambari for his briefing.

In accordance with the understanding reached in the Council's prior consultations, I should now like to invite Council members to informal consultations to continue our discussion on the subject.

The meeting rose at 11.15 a.m.